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LETTER DATED 6 JULY 1999 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have been instructed by my Government to advise you that representatives of the United Nations Interim Administration Mission in Kosovo (UNMIK) and KFOR have shown no readiness to solve the question of return of the customs authorities of the Federal Republic of Yugoslavia to the border crossings with the former Yugoslav Republic of Macedonia and the Republic of Albania in the territory of Kosovo and Metohija, the autonomous province of the Yugoslav constituent Republic of Serbia.

Following the retreat of the border police from the Yugoslav border crossings, in accordance with Security Council resolution 1244 (1999), customs officials were also compelled to retreat for reasons of personal safety as they too were threatened by the terrorist "Kosovo Liberation Army". The customs officials in customs warehouses throughout Kosovo and Metohija retreated also for the same reason, so that customs operations are carried out neither at the borders nor in the territory of Kosovo and Metohija as a whole.

On 22 June 1999, Albanian terrorists evicted the officials of the Pristina customs office from their official premises. On that occasion, they broke into the warehouse and other premises and looted their stocks, official cars and other pieces of inventory.

Bearing that in mind, the Federal Customs Administration and the Committee for Cooperation with the United Nations Mission contacted KFOR and UNMIK with the request that, in accordance with the resolution and the Military-Technical Agreement, they enable the customs authorities of the Federal Republic of Yugoslavia to carry out, unperturbed, their legal duties and protect the State borders from the uncontrolled import of arms, ammunition, explosives and other devices threatening the security of the country.

At the suggestion of the Yugoslav side, a meeting was held in Pristina, on 2 July 1999, between the representatives of the Federal Customs Administration and KFOR at which agreement was to be reached on the return of customs officials to border crossings to the former Yugoslav Republic of Macedonia and the Republic of Albania in Kosovo and Metohija. A number of issues were discussed at the meeting and the Yugoslav side requested that its passport and visa

officials return immediately to border crossings and to offices and warehouses in Pristina, Kosovska Mitrovica, Prizren, Djakovica and Pec. They also requested that KFOR provide full security guarantees to customs officials, including on-the-job protection at border crossings and in customs offices and warehouses and escort between places of residence (Pristina) and border crossings. Unfortunately, KFOR representatives were not prepared to provide either security guarantees or minimum conditions for work to customs officials, obligations to which they are bound by the Security Council resolution. The meeting set for 3 July 1999 was cancelled at the request of KFOR, who said, in explanation, that the question is "complex" and that UNMIK too must be included in its solution.

The position on these issues taken by KFOR is unacceptable as the international security presence is duty-bound to create a security environment and provide security guarantees to all in Kosovo and Metohija, including customs and other officials.

Bearing in mind the aforementioned, the Federal Republic of Yugoslavia requests the Security Council to consider this issue urgently since KFOR and UNMIK continue to flout Security Council resolution 1244 (1999) and its accompanying documents. Yugoslav customs and immigration officials must be allowed to carry out their duties forthwith since these duties fall within the exclusive competence of the Federal authorities of the Federal Republic of Yugoslavia. This is fully affirmed in the provisions of the resolution and its accompanying documents on the respect of the sovereignty and territorial integrity of the Federal Republic of Yugoslavia.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) Vladislav JOVANOVIC
Chargé d'affaires a.i.